

1 Daniel D. Maynard, No. 009211  
2 **MAYNARD CRONIN ERICKSON**  
3 **CURRAN & REITER, P.L.C.**  
4 3200 North Central Avenue, Suite 1800  
5 Phoenix, Arizona 85012  
6 (602) 279-8500

7 Attorneys for Defendant

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF ARIZONA**

10 United States of America,  
11  
12 Plaintiff,

13 v.

14 Abdul Malik Abdul Kareem,  
15  
16 Defendant.

No. CR 15-00707-PHX-SRB

17 **MOTION TO DELAY RULING ON**  
18 **MOTION FOR NEW TRIAL AND ON**  
19 **SENTENCING**

20 Defendant, Abdul Malik Abdul Kareem (“Abdul Kareem”), by and through his  
21 undersigned counsel, moves this Court to delay the ruling on the Motion for New Trial and the  
22 Sentencing until after the Government has produced the additional documents that it contends  
23 it has and plans to turn over to the Defendant. At the oral argument on the Motion for New  
24 Trial, the Government acknowledged that it is in the process of declassifying certain documents  
25 that it has that will be turned over to the Defendant’s counsel. The Government advised the  
26 Court on July 22, 2016 that it thought the documents would be available in approximately two  
to three weeks. Admittedly, the Government stated that it does not believe the documents are  
*Brady* material but the Defendant has no idea what he will receive. Since the Government has  
advised Defendant’s counsel that it believes Defendant will add these documents to its Motion  
for New Trial, it appears the Government believes the documents are relevant.

Additionally, there are numerous complex issues that will be dealt with at the sentencing  
of the Defendant if the Motion for a New Trial is denied. For these reasons, the Defendant  
requests that the ruling on the Motion for New Trial be delayed until ten (10) days after the  
Government produces the documents it says it is declassifying and will produce and that the

1 sentencing be continued until twenty (20) days after the Court has ruled on the Motion for New  
2 Trial.

3 Further, undersigned counsel requests that the Court extend the time of sentencing,  
4 which is currently set for August 16, 2016 at 9:30 a.m., until after the evidence has been  
5 produced and the Court has ruled on the Motion for New Trial. Undersigned counsel has  
6 contacted the AUSA's office and do not have an objection to this motion.

7 This motion is made in good faith and not for purposes of delay. Local Rule 4.16  
8 requires that any motion submitted for filing in a criminal case must contain a statement as  
9 follows: "Excludable delay under 18 U.S.C. § 3161(h)(1)(F) will occur as a result of this  
10 motion or of an order based thereon."

11 RESPECTFULLY SUBMITTED this 3<sup>rd</sup> day of August, 2016.

12 **MAYNARD CRONIN ERICKSON**  
13 **CURRAN & REITER, P.L.C.**

14 By /s/Daniel D. Maynard  
15 Daniel D. Maynard  
16 3200 North Central Avenue, Suite 1800  
Phoenix, Arizona 85012  
Attorney for Defendant

17 **ORIGINAL** of the foregoing e-filed this 3<sup>rd</sup> day of August, 2016 via ECF with:

18 Clerk of the Court  
19 United States District Court  
20 401 W. Washington  
Phoenix, AZ 85003

21 **COPY** of the foregoing electronically delivered this 3<sup>rd</sup> day of August, 2016 via ECF with:

22 Kristen Brook  
23 Joseph E. Koehler  
24 U.S. Attorneys' Office  
25 2 Renaissance Square  
40 N. Central Ave., Ste. 1200  
Phoenix, AZ 85004-4408  
Attorneys for Plaintiff

26 By /s/Stacey Tanner